

	Case Name & No.:	Violation Type:	Enfcmt. Type:	Citations:	Penalty Amt.:	Injunct. Relief:	SEP:	File Issue Date and Final Order Issue Date:	Summary:
RCRA C – HAZARDOUS WASTE (Fiscal Year 2017)									
Note- State Delegation Details: As of 4/3/17: Authorization for the base program, and then regulation-by-regulation. All states are authorized at least at the base program level except AK, IA, and PR and VI.									
Region 1									
Region 2									
Region 3	1. U. S. DEPT OF THE NAVY (WASHINGTON NAVY YARD) # 03-2017-0005 * Note: this case also included in CAA section.	RCRA 3002: Standards App. to Gen. of HW (recordkeeping); CAA 502, 608: National Recycling & Emission Reduction Program, Operating Permits (Title V) (recordkeeping)	RCRA 3008A AO For Comp And/Or Penalty	• 40 CFR 273.4 (mercury-containing equipmt.)	\$84,100 (total) Compliance action cost: \$1,000	Yes. Compliance action required reduction of mercury by 1 lb/yr.	No	File Issue: 3/8/17 Final Order: 3/8/17	3/8/17: Consent Agreement and Final Order (CAFO) between EPA Region 3 and the U.S. Department of the Navy (Navy) was filed with the Regional Hearing Clerk. The CAFO resolved alleged violations of Subtitle C of the Resource Conservation and Recovery Act (RCRA) and the Clean Air Act (CAA) discovered by EPA during a multimedia inspection at the Washington Navy Yard (Facility) on June 5-7, 2012.

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									Pollutants involved were HCFCs, Mercury, and Nitrogen Oxides. The settlement requires the Navy to pay a total penalty of \$84,100.00. Additionally, although the Clean Water Act does not permit EPA to assess penalties against federal entities like the Navy for violations of the Clean Water Act, prior to the execution of the CAFO, EPA worked with the Navy to address National Pollution Discharge Elimination System (NPDES) and Spill Prevention Control and Countermeasures (SPCC) compliance issues at the Facility.
Region 4									
Region 5									

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Region 6									
Region 7									
Region 8									
Region 9									
Region 10	1. JOINT BASE ELMENDORF-RICHARDSON (FF) # 10-2017-0064 Related Activities: Inspection/Eval: 1. 09/13/2012 2. 09/27/2013 3. 04/16/2015	RCRA 3002: Container Reqs; Labeling/Marking Reqs; Land Disposal & Treatment; Manifesting: No Manifests Or Manifest Errors; Paper Violations; Record Keeping Violations; Violation Of Storage Facility Reqs	RCRA 3008A AO For Comp And/Or Penalty	<ul style="list-style-type: none"> • 40 CFR 262.11 (HW determin.) • 40 CFR 261.38 (identif. of HW) • 40 CFR 262.23 (use of manifest) 	\$81,310	No	Yes. \$200,000 Pollution Prevention/Energy Efficiency Conservation	File Issue: 2/22/17 Final Order: 2/22/17	2/22/17: Region 10 filed a consent agreement and final order with the United States Department of the Air Force, the 176th Wing of the Alaska Air National Guard, and Aurora Military Housing III, LLC (Anchorage, AK) to resolve violations of the Resource Conservation and Recovery Act (RCRA) at Joint Base Elmendorf-Richardson (facility). EPA alleged that the three Respondents co-generated hazardous waste

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				<ul style="list-style-type: none"> • 40 CFR 262.34 (accum. time – section since removed and reserved) • 40 CFR 273.31 (prohibition for Univ. W) 			No: 3600 0043 24		at the facility and that between 2011-2015, Joint Base Elmendorf-Richardson failed to make hazardous waste determinations for two waste streams, stored hazardous waste w/o a permit in 16+ different facility locations, failed to properly manage universal waste, and transferred waste to a facility that was not appropriately permitted to receive it at least three times w/o completing the required manifest. In settlement, the Respondents agreed to an assessed penalty of \$81,310. The United States Air Force will also complete a Supplemental Environmental Project at a cost of at least \$200,000.
	2. EIELSON AIR FORCE BASE (FF) # 10-2017-0055	RCRA 3002: Container Reqs., Labeling/Marking Reqs., Record Keeping	RCRA 3008A AO For Comp And/Or Penalty	<ul style="list-style-type: none"> • 40 CFR 261.38 (identif. of HW - section 	\$24,900	No	No	File Issue: 3/16/17 Final Order: 3/16/17	3/2017: EPA Region 10 filed two consent agreements and final orders (CAFOs) with Corvias Air Force Living, LLC and the United States Air Force to resolve RCRA

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	<p>*Note: Co-Generators/Respondents with Corvias below.</p> <p>Related Activities:</p> <p>Inspection/Eval: 05/13/2015</p>			<p>since removed)</p> <ul style="list-style-type: none"> • 40 CFR 262.11 (HW determin.) • 40 CFR 262.31 (labeling) • 40 CFR 262.32 (marking) • 40 CFR 262.40 (recordkeep.) 					<p>hazardous waste management violations identified during a 5/2015 EPA inspection at Eielson Air Force Base (AFB) in AK. At Eielson, the Air Force is a Large Quantity Generator of hazardous waste. Corvias Air Force Living, LLC manages privatized family housing units and ancillary facilities at Eielson AFB and is a co-generator of hazardous waste with the Air Force there. The CAFO with the Air Force requires the Air Force to review its universal waste management areas at Eielson and certify compliance within 30 days of the effective date of the CAFO and to pay a penalty of \$24,900. The CAFO with Corvias requires Corvias to certify compliance and pay a penalty of \$4,500.</p>
	3. CORVIAS MILITARY LIVING AT EIELSON AIR FORCE BASE (FF)	RCRA 3002: Container Reqs., Labeling/Marking	RCRA 3008A AO For Comp	• 40 CFR 261.38 (identif. of HW -	\$4,500	No	No	File Issue: 3/9/17	3/2017: EPA Region 10 filed two consent agreements and final orders (CAFOs) with Corvias Air Force Living, LLC

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	# 10-2017-0054 *Note: Co-Generators/Respondents with Eielson above. Related Activities: Inspection/Eval: 05/13/2015	Reqs., Record Keeping	And/Or Penalty	section since removed) <ul style="list-style-type: none"> • 40 CFR 262.11 (HW determin.) • 40 CFR 262.31 (labeling) • 40 CFR 262.32 (marking) • 40 CFR 262.40 (recordkeep .) 				Final Order: 3/9/17	and the United States Air Force to resolve RCRA hazardous waste management violations identified during a 5/2015 EPA inspection at Eielson Air Force Base (AFB) in AK. At Eielson, the Air Force is a Large Quantity Generator of hazardous waste. Corvias Air Force Living, LLC manages privatized family housing units and ancillary facilities at Eielson AFB and is a co-generator of hazardous waste with the Air Force there. The CAFO with the Air Force requires the Air Force to review its universal waste management areas at Eielson and certify compliance within 30 days of the effective date of the CAFO and to pay a penalty of \$24,900. The CAFO with Corvias requires Corvias to certify compliance and pay a penalty of \$4,500.

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RCRA I – UST (Fiscal Year 2017)									
Note- State Delegation Details: As of 4/3/17: 38 states plus the District of Columbia and the Commonwealth of Puerto Rico have approved programs. States not approved are: AK, AZ, CA, FL, IL, KY, MI, OH, NJ, NY, WI, and WY. Tribes, VI, and the Pacific Islands also are not approved.									
Region 1									
Region 2									
Region 3									
Region 4									
Region 5									
Region 6									

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Region 7									
Region 8									
Region 9									
Region 10									

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CAA (Fiscal Year 2017)									
<p>Note- State Delegation Details: As of 4/3/17: CAA Ozone Law (Sections 608, 609, 612, Title 6) = not delegable to states. CAA Stationary Source Law (110, 111, 112, 112D, 112H, 112I, 112K, 113A, 114, 165, 173, 183, 303, 502, Title 5) = all states have authorization; PR and VI share responsibility w/ EPA. Tribes generally not auth.; Navaho Nation is an exception.</p>									
Region 1	1. CUTLER MAINE NAVAL FACILITY # 01-2017-1007	CAA 112: Hazardous Air Pollutants (National Emission Standard For Hazardous Air Pollutant)	CAA 113D1 Action For Penalty	• 40 CFR 63 Subpart ZZZZ	\$811,000. Compliance action cost: \$1,439,676	Yes. Reduction of carbon monoxide by 56,000 PND SYR/yr.	No	File Issue: 4/19/17 Final Order: 4/19/17	The U.S. Navy operates four large diesel-powered engines that generate electricity at the Naval Computer and Telecommunications Area Master Station, Atlantic Detachment, in Cutler, ME. The engines are subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE), found at 40 CFR Part 63, Subpart ZZZZ (Subpart ZZZZ). Given the size of these engines, Subpart ZZZZ requires that the engines have add-on

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									emission controls by May 2013, but the Navy failed to install the controls by the required date. After an EPA inspection and the issuance of a Notice of Violation, the Navy installed a control on one engine by September 20, 2016, and on all engines by February 20, 2017. The Navy's failure to timely install emissions controls led to the excess emissions of 28 tons of diesel-related hazardous air pollutants. In a Consent Agreement and Final Order, the Navy has agreed to comply with Subpart ZZZZ and pay a penalty of \$811,000.
Region 2									
Region 3	1. U. S. DEPT OF THE NAVY (WASHINGTON NAVY YARD) # 03-2017-0005	RCRA 3002: Standards App. to Gen. of HW (recordkeeping); CAA 502, 608:	CAA 113D1 Action For Penalty	• 40 CFR 82 (protection of stratospheric ozone)	\$84,100 (total) Compliance action cost: \$1,000	Yes. Compliance action required reduction of	No	File Issue: 3/8/17 Final Order: 3/8/17	3/8/17: Consent Agreement and Final Order (CAFO) between EPA Region 3 and the U.S. Department of the Navy (Navy) was filed with the

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	* Note: this case also included in RCRA C section.	National Recycling & Emission Reduction Program, Operating Permits (Title V) (recordkeeping)		<ul style="list-style-type: none"> • 40 CFR 82(f) (recycling and emissions reduction) 		mercury by 1 lb/yr.			<p>Regional Hearing Clerk. The CAFO resolved alleged violations of Subtitle C of the Resource Conservation and Recovery Act (RCRA) and the Clean Air Act (CAA) discovered by EPA during a multimedia inspection at the Washington Navy Yard (Facility) on June 5-7, 2012. Pollutants involved were HCFCs, Mercury, and Nitrogen Oxides. The settlement requires the Navy to pay a total penalty of \$84,100.00. Additionally, although the Clean Water Act does not permit EPA to assess penalties against federal entities like the Navy for violations of the Clean Water Act, prior to the execution of the CAFO, EPA worked with the Navy to address National Pollution Discharge Elimination System (NPDES) and Spill Prevention Control and</p>

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									Countermeasures (SPCC) compliance issues at the Facility.
Region 4									
Region 5									
Region 6									
Region 7									
Region 8									
Region 9									
Region 10									

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CWA (Fiscal Year 2017)

Note- State Delegation Details: As of 4/3/17: CWA NPDES Law (CWA Law Sections 301, 301/402 – except Primary Law Program = NPDES - Pretreatment, 308, 309) and CWA Pretreatment Law (301/307 and 301/402 w/ Primary law Progm. = NPDES – Pretreatmt.) are delegable, if conditions met. See:

<https://www.epa.gov/npdes/npdes-state-program-information>

Region 1									
Region 2									
Region 3									
Region 4	1. BAE SYSTEMS ORDNANCE	CWA 301/402 – Violation of NPDES Permit Requirement	CWA 309G2B AO For Class II Penalties	• 40 CFR 122.41 (conditions	\$0. Cost of compliance action: \$168,750	No	No	File Issue: 12/8/16 Final Order:	Facility was Holston Army Ammunition Plant, in Kingsport, TN. 12/8/16 – Consent

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	SYSTEMS, INC. # 04-2016-4517			applicable to all permits)				12/8/16	agreement was issued. Penalty assessed was \$168,750, due within 30 days.
Region 5									
Region 6									
Region 7									
Region 8									
Region 9	1. BIA Keams Canyon Water Lagoon # 09-2017-1503	CWA 301: NPDES Discharge w/o Permit	CWA 309A AO For Compliance & Federal Facility Agreemnts.	• 33 U.S.C.A. § 1311(a) (discharge without a permit) and (failure to comply w/ terms of a CWA § 402	\$0. Cost of compliance action: \$1,489,000	Yes. BIA shall not discharge wastewater from the Facility, and achieve all of the	No	File Issue: (not provided) Final Order: 1/23/17	Federal Facility Compliance Agreement between US EPA and the Bureau of Indian Affairs (BIA) to address BIA's past violations of the Clean Water Act at its Wastewater Lagoon facility (the Facility) in Keams Canyon, AZ.

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				(NPDES) permit)		following by no later than the following respective dates. 1/31/17: BIA shall submit to EPA design plans for upgrading Facility. 4/21/17: BIA shall provide the notice to proceed to the selected contractor for Facility upgrade. 3/16/18: BIA shall submit to EPA and Hopi Water Resources			Under this Agreement, BIA will upgrade the Facility to operate as a non-discharging wastewater treatment facility and will complete all construction and commence operation of the upgraded Facility by April 20, 2018.

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						Program the operation and maintenance manual for the upgraded Facility – operation and maintenance manual will include: maintenance checklists & schedules; facility flow schematic; drawings showing layout of Facility and all components and			

	Case Name & No.:	Violation Type:	Enfcmt. Type:	Citations:	Penalty Amt.:	Injunct. Relief:	SEP:	File Issue and Final Order Dates:	Summary:
						relevant dimension s; details of Facility design criteria and recommendations to prevent discharge; appendice s containing manufact.' s literature for all treatment and/or sampling at Facility; and reqs. for training of responsibl e operators. 4/20/18: BIA will complete			

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						constructi on and commence operation of upgraded Facility.			
Region 10									

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SDWA (Fiscal Year 2017)									
<p align="center">Note- State Delegation Details: As of 4/3/17:</p> <p>SDWA PWSS (SDWA Law Sections 1412/1414, 1414C, 1414G3D,1431-PWS, 1414G): all states have primacy for the PWSS program, except WY and Washington, D.C. The Navajo Nation is the only tribe that has obtained primacy for the PWSS program.</p> <p>SDWA UIC Class II (SDWA Law Sections 1422/1423 and Primary Law Program = Underground Injection Control, Class I): AS, AZ, FL, HI, IA, MI, MN, NY, PA, VA, and VI are not approved. Tribes also not approved with exception of Navaho Nation and Fort Peck , FP.</p> <p>SDWA UIC Classes I, III, IV, and V (SDWA Law Sections 1421, 1422/1423 and Primary Law Program ≠ Underground Injection Control, Class II), 1423C, 1431-UIC): AS, AZ, CA, CO, HI, IA, IN, KY, MI, MN, MT, NY PA, SD, VA, and VI are not approved. Also, EPA retains direct implementaiton authority in FL so treat an not approved for current exercise. Tribes not approved.</p>									
Region 1									
Region 2									
Region 3									
Region 4									

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Region 5									
Region 6	1. Pecos National Historic Park Visitor Center # 06-2017-1220	SDWA 1412/1414: National Drinking Water Regulations (monitoring)	SDWA 1414G2 AO For Compliance (PWS)	• 40 CFR 141.23 (inorganic chemical sampling and analyt. reqs. – nitrate)	\$0. Compliance action cost: \$800	Yes. Come into compliance with nitrate monitoring reqs.	No	File Issue: (not provided) Final Order: 4/18/17	Failed to monitor for nitrate at the Pecos Nat'l Historic Park Visitor Center in NM.
Region 7									
Region 8									
Region 9	1. US Navy - Joint Base Pearl Harbor-Hickam # 09-2017-6501	SDWA 1422/1423 UIC Regulations Classes I – V: Untreated Sewage in wells	SDWA 1423C1 AO For Penalty- Non Oil/Gas (UIC)	• 40 CFR § 144.12 (prohibit'n of movement of fluid into underground sources of drinking water)	\$94,212 (cost of compliance action = \$0)	Yes. Reduce untreated sewage by 3 wells/yr.	No	File Issue: 4/4/17 Final Order: 4/4/17	Consent Agreement and Final Order between US EPA and the US Navy (Respondent) for Respondent's alleged violation of the Safe Drinking Water Act requirements for Underground Injection Control Wells at the Joint Base Pearl Harbor-

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									Hickam facility in HI. Respondent is in compliance with the applicable requirements and has paid an administrative penalty of \$94,212 to settle the matter.
Region 10									

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TSCA (Fiscal Year 2017)									
Region 1									
Region 2									
Region 3									
Region 4									
Region 5									
Region 6									

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Region 7									
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Region 9									
Region 10									